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December 29, 1994

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DEC 29 1994

VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

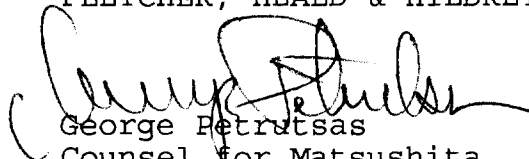
Re: CC Docket No. 92-115

Dear Mr. Caton:

Transmitted herewith for filing in the above-referenced rule making proceeding are an original and eleven copies of the Comments of Matsushita Communications Industrial Corporation of America in Support of Motion For Stay.

Very truly yours,

FLETCHER, HEALD & HILDRETH, P.L.C.


George Petrutsas
Counsel For Matsushita
Communications Industrial
Corporation of America

GP/cej
Enclosures

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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

In the Matter of)
)
Revision of Part 22 of the)
Commission's Rules Governing)
the Public Mobile Services)

CC Docket No. 92-115

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**COMMENTS OF MATSUSHITA
COMMUNICATIONS INDUSTRIAL CORPORATION
OF AMERICA IN SUPPORT OF
MOTION FOR STAY**

Matsushita Communications Industrial Corporation of America ("MCC") files these comments in support of the Motion for Stay filed in this proceeding by the Mobile and Personal Communications 800 Section of the Telecommunications Industry Association ("TIA") on December 19, 1994. The Motion asks the Commission to stay the effective date of Section 22.919 of the Commission's Rules pending consideration and disposition of TIA's petition filed in this proceeding also on December 19, 1994, for clarification and reconsideration of certain provision of Section 22.919.

Section 22.919 incorporates into the Commission's Rules the requirement that each cellular mobile telephone must have a unique electronic serial number ("ESN") and imposes strict manufacturing requirements which includes the requirement that the ESN must be ". . .factory set, unalterable, non-transferable, and otherwise tamper-proof. . ." Report and Order, FCC 94-201, released in CC Docket No. 92-115 on September 9, 1994, Appendix

A, p. 41. MCC is a manufacturer of cellular mobile telephones and a major supplier of cellular telephone equipment to the cellular industry and, therefore, it is vitally interested in this matter.

MCC is fully aware of the problem the Commission is addressing by its adoption of Section 22.919. Cellular fraud is a serious matter and must be curbed. The issue which, in MCC's view, deserves to be addressed further, is whether the approach incorporated into Section 22.919 is the most desirable in terms of effectiveness, cost, and fairness. TIA's Petition raises important questions concerning the effectiveness, cost, and fairness of the approach adopted by the Commission. The petition filed by the Ericsson Corporation raises similar questions. Both petitioners point to reasonable possible alternatives, such as requiring the use of the authentication standards the industry has adopted. MCC reserves the right to submit at the appropriate time its views on the specific alternative suggestions offered by TIA and Ericsson in their respective reconsideration petitions. MCC believes, however, that the public interest will be served by postponing the effective date of Section 22.919 and thus providing a full opportunity for another, closer look at this problem before the manufacturers make the major equipment design changes required by the new rule which may have to be changed again as a result of Commission decisions on reconsideration.

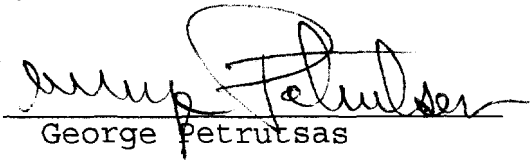
Accordingly, the Commission is urged to grant TIA's Motion for Stay and postpone the effective date of Section 22.919 of its

Rules pending consideration and disposition of the various
petition for reconsideration of this Rule.

Respectfully submitted,

MATSUSHITA COMMUNICATIONS
INDUSTRIAL CORPORATION OF AMERICA

By:


George Petrutsas

Its Attorney

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Date: December 29, 1994
cej/gp/gp#4/matsus.pleading

CERTIFICATE OF SERVICE

I, Chellestine Johnson, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that copies of the foregoing "Comments of Matsushita Communications Industrial Corporation of America in Support of Motion For Stay" were sent this 29th day of December, 1994, by hand delivery and first-class United States mail, postage prepaid, to:

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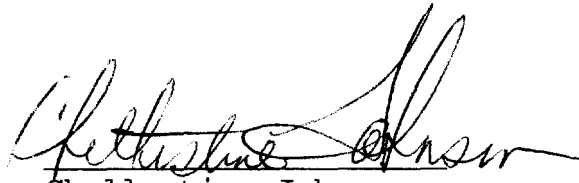
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